IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Crl.Misc. No.70564-M of 2006
Date of Decision:- 08.02.2007

Simranjeet Kaur @ Seema ....Petitioner(s)

through
Mr.H.S.Dhindsa, Advocate

vs.

State of Punjab ....Respondent(s)

through
Mr.B.S.Baath, AAG, Punjab.

***

CORAM:-HON'BLE MR.JUSTICE SURYA KANT.

***

SURYA KANT, J.

Prayer in this petition is to release the petitioner on regular bail in F.I.R.No.148 dated 22.6.2006 under Section 326 IPC registered at Police Station Sadar Rajpura, District Patiala.

As per the allegations contained in the F.I.R., the petitioner threw acid on her own husband, who is an ex-Army personnel but is paralytic.

The petitioner, on the other hand, has a different story to tell. According to her, her three brothers-in-law and their wives want to grab the share of the petitioner's husband in the Joint property as they have already sold off their own shares. It is further alleged that since the petitioner refused to agree for the disposal of her husband's share, they allegedly caused some burn injuries to her husband and got her falsely implicated in the case.

There is, however, no denial to the fact that the petitioner is mother of three children out of whom the eldest is a son aged about 8 years, younger to him is a daughter aged about 5 years and the youngest too

is a daughter aged about one year.

It is also the petitioner's case that despite being paralytic, her husband has already written to the Sr.Superintendent of Police that his wife i.e. the petitioner, has been falsely implicated.

The petitioner was arrested on 21.9.2006 and is in judicial custody since then. The youngest daughter of the petitioner is stated to be staying with her inside the jail. There is no one to look after the petitioner's other daughter aged about 5-6 years, more so when her husband is a paralytic.

The petitioner does not appear to be in a position either to influence upon her husband or the other prosecution witnesses, most of whom are from the family of her husband. Similarly, the conclusion of trial will also take considerably long period. In these peculiar circumstances, I am of the considered view that the petitioner deserves the concession of regular bail especially to look after her minor children. I order accordingly.

The petitioner is directed to be released on regular bail to the satisfaction of the Chief Judicial Magistrate, Patiala/ Duty Magistrate at Rajpura.

February 08, 2007 **(SURYA KANT)**
poonam **JUDGE**